

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

HITUL GANDHI, Individually and on behalf of a
class of others similarly situated,

Plaintiff,

-vs-

Case No. A-08-CA-248-SS

DELL INC., AND DELL MARKETING USA L.P.,
Defendants.

CATHERINE L. DAVIS and TOMMY MOORE,
Individually and on Behalf of Others similarly
situated,

Plaintiffs,

-vs-

Case No. A-08-CA-794-SS
(Consolidated)

DELL, INC. d/b/a DELL COMPUTER, INC., a
Delaware corporation, DELL USA L.P., a Texas
Limited Partnership and DELL MARKETING
L.P., a Texas Limited Partnership,
Defendants.

CONSENT TO SUE UNDER F.L.S.A.

I hereby consent to be a plaintiff in an action under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, to secure any unpaid minimum wages, overtime, liquidated damages, attorney's fees, costs and other relief arising out of my employment with Dell, Inc. d/b/a Dell Computer, Inc., and any other associated parties, including any subsidiaries or entities affiliated with Dell, Inc. d/b/a Dell Computer, Inc.

I authorize William B. Federman, Esq. of Federman & Sherwood, and any attorneys associated with Federman & Sherwood, as well as any successors or assigns, to represent me in such action. I further authorize Catherine Davis and Tommy Moore, the Named Plaintiffs, to represent my interests in this case.

Dated: May 5th, 2009

Frances L. Birchum
SIGNATURE

FRANCES L. BIRCHUM
PRINTED NAME